

REMARKS

The Amendments

Claim 1 is amended to remove the option of -CH=CH- groups in the R groups, to address the 35 U.S.C. §112, second paragraph, rejection. Claim 1 is further amended to incorporate the subject matter of claim 2 and part of the subject matter of claim 4. Claim 3, which was indicated to be allowable if rewritten in independent form, is so rewritten. The amendment to claim 3 does not narrow the scope of these claims. The dependent claims are amended to reflect the above changes and to add new dependent claims from claim 3 which correspond to the dependent claims from claim 1.

To the extent that the amendments avoid the prior art or for other reasons related to patentability, competitors are warned that the amendments are not intended to and do not limit the scope of equivalents which may be asserted on subject matter outside the literal scope of any patented claims but not anticipated or rendered obvious by the prior art or otherwise unpatentable to applicants. Applicants reserve the right to file one or more continuing and/or divisional applications directed to any subject matter disclosed in the application which has been canceled by any of the above amendments.

The Rejection under 35 U.S.C. §112, second paragraph

The rejection of claims 1, 8, 10, 12, 14 and 18 under 35 U.S.C. §112, second paragraph, is believed to be rendered moot. Claim 1 is amended to remove the option of -CH=CH- groups

in the R groups. Thus, it is believed to be clear that the "one or more polymerizable compounds" in the claims are compounds distinct from those of formula I or II. The claim also now recites formula I* to define the polymerizable compounds. Also, from the disclosure, it is even more evident that the polymerizable compounds are distinct from those of formulae I or II.

The Rejections under 35 U.S.C. §102

The rejections of claims 1-2, 3-6, 8-12, 14-16 and 18 under 35 U.S.C. §102, as being anticipated by the Heckmeier patents/publications, are respectfully traversed. The Heckmeier references all relate to two families of applications and will be addressed in terms of the two U.S. Patents Nos. 6,514,580 and 6,638,581.

The polymerizable compounds recited in claim 1 are now more particularized. Claim 3, reciting differently particularized polymerizable compounds, is now written in independent form. Neither of the Heckmeier '580 and 581 references disclose compositions having a polymerizable compound according to either of independent claims 1 or 3. There are no compositions disclosed or suggested by Heckmeier which have a polymerizable compound, such as according to formula I* of claim 1, wherein the polymerizable group is an acrylate, methacrylate or epoxy group. Compare instant claim 1. Also, there are no compositions disclosed or suggested by Heckmeier which have a polymerizable compound, such as according to formulae I*a to I*h of claim 3, wherein the polymerizable compound is based on benzene ring-containing structures. Compare instant claim 3.

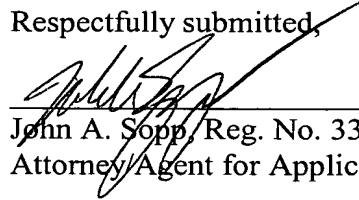
The only compounds with polymerizable groups disclosed or suggested by the Heckmeier

references are compounds containing cyclohexyl rings and having an alkenyl, such as vinyl, polymerizable group; see, e.g., general formulae II, IIIc and III d, and the CC-n-V formula compounds in the Examples of the '580 patent and general formulae IV1c and IV1d, and formulae at cols. 27-30 used in the Examples of the '581 patent. The references fail to teach or suggest polymerizable compounds as literally set forth in the instant claims or compositions containing them according to the instant claims. Thus, the references fail to anticipate the claimed invention and the rejection under 35 U.S.C. §102 should be withdrawn. Also, the references fail to support a rejection under 35 U.S.C. §103.

It is submitted that the claims are in condition for allowance. However, the Examiner is kindly invited to contact the undersigned to discuss any unresolved matters.

The Commissioner is hereby authorized to charge any fees associated with this response or credit any overpayment to Deposit Account No. 13-3402.

Respectfully submitted,



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